

**TOWN COUNCIL
WORK SESSION MEETING**

Monday, October 4, 2021
7:30 pm
Municipal Building

Agenda

- I. Call to Order
- II. Roll Call
- III. Moment of Silence
- IV. Pledge of Allegiance to the Flag of the United States of America
- V. Approval of Agenda
 - a. Minutes from September 7, 2021
 - b. Minutes from September 15, 2021
- VI. Reports
 - a. Treasurer
 - b. Public Works Director
 - c. Code Enforcement
 - d. Police Chief
 - e. Town Administrator
- VII. Councilmember/Mayor Report
 - a. Ward I
 - b. Ward II
 - c. Ward III
- VIII. Legislation
 - a. Resolution 45-21 to approve phase I (*revised*) of a proposal and contract from FES Group, LLC to provide steep slope stabilization and repairs, and make roadway improvements along or near Cree Drive
 - b. Resolution 46-21 of the Mayor and Council of the Town of Forest Heights, Maryland to approve the employment and appointment of Kraig Webb as a Police Officer to serve within the Forest Heights Police Department and to approve a Reimbursement Agreement
 - c. Resolution 47-21 to accept a grant from the Department of Justice for the National PAL Mentoring Program for FHPD
 - d. Resolution 48-21 of the Mayor and Council of the Town of Forest Heights, Maryland to approve the employment and appointment of Anthony Coleman as a Police Officer to serve with the Forest Heights Police Department and to approve a Reimbursement Agreement
- IX. Public Period (limit 2 minutes)
- X. New Business
- XI. Adjournment

Join Zoom Meeting

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Meeting ID: 860 0831 6885

Find your local number: <https://us02web.zoom.us/j/86008316885>

**Town of Forest Heights
Work Session- 7:30 PM
Tuesday, September 7, 2021
Meeting Minutes
Virtual Meeting**

Call to Order: 7:30 PM

Roll Call: CW Hines, CW Noble, CW Brownson, CM Atkinson, Acting Mayor Washington present; quorum established.

Announcement: CW Noble commemorated the passing of Antoinette Sherman, a Town resident who had passed away on September 11, 2001. She then asked for a moment of commemoration for all those who passed on 9/11.

Moment of Silence:

Pledge of Allegiance:

Approval of Agenda and Meeting Minutes from August 18, 2021: Motion by CW Hines to approve the agenda and minutes; seconded by CW Brownson; all in favor; motion passed.

Staff Reports:

Treasurer's Report: CW Noble asked if the audit was on track for completion. The Town Treasurer responded that yes she was moving as quickly as possible to be in compliance. CW Brownson asked why the treasurer transferred \$160,000 from speed camera fund to general fund. The Town Treasurer responded that it was a routine transfer to replenish the general fund as needed.

Public Works Director: Public Works Director Mr. Vaughn explained the mosquito program, stating that the Maryland Department of Agriculture had set out traps and responds according to how many mosquitoes are caught, and how many test positive for the West Nile Virus. Any nearby areas that have positive testing specimens will result in the Town being notified. They are not spraying on a regular schedule due to the pandemic. CW Noble noted the need for addressing the speed humps on Sachem, as well as that tree trimming had occurred on Seneca. Mr. Vaughn replied that tree fell in that area and Public Works was instructed to cut there. Pepco is waiting on the final approval with DPIE for the sign by the Community Gathering Space. This converter is being done free of charge.

Code Enforcement: CW Brownson noted that there were big dogs were barking along the fence by North Huron. Chief Rease responded that there was no ordinance for dogs if they were contained in their fence. CW Brownson stated that the rental property fee should be higher. Officer Hawkins replied that it was proposed to raise the fee, but it was tabled and never put into place.

Police Chief: Chief Rease had not submitted a report, he highlighted events, including a break into a vacant house on Talbert Drive. The owner had upgraded security to keep prevent repeated break ins. CW Brownson asked if the Concert in the Park was purposefully chosen to be on September 11. The Chief corrected, saying that it is not a police department event, and that it was a rain date. The 11th was chosen because of the band's availability. Acting Mayor Washington noted that a moment of silence could be done for the event to commemorate 9/11.

Town Administrator: Town Administrator Mr. Robinson clarified that the Healthy Heights Coordinator was part time. The Town Clerk responded to questions about implementing a third-party newsletter distribution.

Ward Reports

Ward I: Acting Mayor Washington noted that he had taken pictures to give to Pepco for tree trimming and found some areas that are in need.

Ward II: CW Brownson also noted about the progress and communication with Pepco with tree trimming. CM Atkinson complained about people speeding on scooters near Seneca Drive.

Ward III: CW Hines thanked all the residents who came out for the backpack giveaway, as well as the staff. CW Noble inquired about a branch that had fallen over the trail on Bell Acre's Park and asked who was responsible. Acting Mayor Washington stated that the section of the trail where the trees were belonged to the US Department of the Interior. He proposed meeting with Public Works and the Town Attorney to discuss right of way.

Mayor's Report: None

Legislation (to be voted on):

Resolution 40-21: Fiscal Year 2022 Budget Amendment; motion by CW Hines to waive the full reading; seconded by CW Noble; motion by CW Hines to adopt Resolution 40-21; seconded by CW Brownson; vote (5 yes; 0 no) motion passed.

Resolution 41-21: Fiscal Year 2021 Budget Amendment; motion by CW Hines to waive the full reading; seconded by CW Noble; all in favor; motion by CW Hines to adopt Resolution 41-21; seconded by CW Noble; vote (5 yes; 0 no) motion passed.

Resolution 42-21: A Resolution of the Mayor and Council of the Town of Forest Heights (The "Town") authorizing negotiations and the issuance of a non-binding notice of intent to purchase land subject to an approving ordinance or resolution to initiate a condemnation civil action or taking with just compensation to acquire certain

real properties near Forest Heights Elementary School and Indian Head Highway along Talbert Drive for a Public Purpose and an appraisal to determine fair market value; motion to table until July 1, 2022 by CW Hines; seconded by CW Brownson; discussion; it is being tabled in order to allow the Town to budget for a viable plan in the event that the property owners do not bring them up to compliance; vote to table (4 yes; 0 no) motion passed.

Annexation Plan: For the annexation of a certain tax-exempt property located generally east of the present corporate limits of the Town of Forest Heights extending along, abutting to, and including improved real property known as the Faith subdivision located at and fronting upon 5701 Livingston Road (Parcel EQ. 7.21 Acres) as depicted on Tax Map 96, Grid A2 (Account No. 12-1233089) into the corporate territory of the Town Forest Heights; motion by CW Noble to waive the full reading; seconded by CW Hines; point of order by the Town Attorney, stating that the plan had already been approved.

Ordinance 03-2021 (2nd Reading): An Ordinance to increase the salaries of the Town's elected officials by amending Section 2.2 or the Town Ordinance Code; motion by CW Hines to waive the full reading; seconded by CW Noble; motion CW Hines to adopt Ordinance 03-21; seconded by CW Brownson; vote (5 yes; 0 no) motion passed.

Legislation to be discussed only

Resolution 44-21: A Resolution to approve a proposal by a consultant to manage the Town's allocations of American Rescue Plan funds; motion by CW Hines to waive the full reading; seconded by CW Noble; all in favor; motion passed. As a grant, the fund needs to be managed, and Greenwill Consulting has the resources to do so. Greenwill had previously helped to spend past COVID-19 funds for the Town.

Resolution 45-21: A Resolution to approve Phase 1 of a proposal and contract from FES Group, LLC to provide steep slope stabilization and repairs, and make roadway improvements along or near Cree Drive; motion by CW Hines to waive the full reading; seconded by CW Noble; discussion; CW Brownson asked if the Town needed a line item; the Town Administrator explained that it would take time to determine which line items the project needed. The money can potentially also be used for stormwater and broadband projects.

Public Period: None

New Business: CW Noble spoke with Dr. James Doula, officer for Office of Veteran's Affairs for Prince George's County. He wanted to work on an outreach with the Town's veterans for services. She also noted that she and Mr. Troy Lilly went to the Greater Oxon Hill CDC meeting and were approved as Board members.

Meeting Adjourned: 8:54 PM

**Town of Forest Heights
Town Meeting- 8:00 PM
Wednesday, September 15, 2021
Meeting Minutes
Virtual Meeting**

Call to Order: 8:00 PM

Roll Call: CW Hines, CW Noble, CM Barnes, CW Brownson, CM Atkinson, Mayor Washington present; quorum established.

Moment of Silence:

Pledge of Allegiance:

Approval of Agenda: Motion by CW Hines to approve the agenda; seconded by CW Brownson. All in favor; motion passed. The minutes from September 7, 2021, will be presented at the October 4, 2021 meeting.

Public Period: Ms. Mann submitted a comment stating that she does not disapprove of the council salary raise, however she found the amount to be a bit much.

Legislation:

Resolution 44-21: A Resolution to approve a proposal by a consultant to manage the Town's allocations of American Rescue Plan Funds; introduced by Acting Mayor Washington; motion by CW Hines to waive the full reading; seconded by CM Barnes; motion by CW Hines to adopt Resolution 44-21; seconded by CM Barnes; discussion. CM Barnes asked why the Town Administrator couldn't manage the allocations. Mayor Washington responded that expertise in grant management is warranted, given the large amount. There is a detailed report due that would describe how the funds are to be used. CW Noble expressed concern that the lobbying firm would be managing the funds and stated that the staff should be able to handle it. The Town Treasurer stepped in and stated that the funds would not leave the Town, Greenwill would not be responsible for writing checks, and any funds would be approved through the Town. The Town Administrator added that Greenwill had handled the coronavirus funds previously, and that there was more to grant management than complying with deadlines. A plan has to be conceptualized and acted on, and that was Greenwill. CW Brownson asked what had the Town done to secure the funds when they got the money 3 months ago, and the Town should figure out what they want to do with the money. The Town Administrator responded that the funds were not applied for, but it was granted. Some legislation had also been tabled or delayed in the wake of the mayor's passing. CW Noble asked why it had not been addressed in the 90 days. CM Barnes asked why Greenwill got to manage the coronavirus funding. The Town Administrator responded that Greenwill has expertise in grant writing and has done so. He expressed that the Town did not have enough staff to administrate the grant. CW Brownson stated that Greenwill did not have grant management in their executive statement. It was answered that the information was on page 4. The Town Treasurer stated that it is a funding source, not a grant. It is meant to develop the community. The issue is building programs to meet requirements. The Town Attorney stated that the State had hired a consultant to manage its funds, that the Town no longer has a circuit rider to assist with grant writing, and that the Town has never had a dedicated grant writer on staff. Mayor Washington addressed the need to acquire the funds. CW Noble asked for a plan to be made first. The Town Administrator clarified that it had been 90 days since the money was first dispersed to all cities, the Town has not had it for that long. The first deadline to submit plans is October 31, 2021. Vote; (3 yes; 3 no) motion failed. The Town Attorney stated that a motion to reconsider could come up, but only from those that voted no.

Resolution 45-21: A Resolution to approve Phase 1 of a proposal and contract from FES Group, LLC to provide stee slope stabilization and repairs, and make roadway improvements along or near Cree Drive; motion by CW Hines to waive the full reading; seconded by CW Noble; motion by CW Hines to adopt Resolution 45-21; seconded by CW Noble; discussion; The Town Administrator asked the resolution be tabled to allow staff to finalize the scope of work. CW Noble asked what did the residents of Cree Drive need to know about the project. The Town Administrator answered that this is the most expensive infrastructure the Town has undertaken, that they wanted to make sure that funding sources did not adversely affect taxpayers, and they would like to see if the American Rescue Plan Funds could be used. Motion by CW Hines to table Resolution 45-21; CW Brownson asked if other vendors could be looked at. CW Noble stated that FES did the slope on Sachem. Seconded motion to table by CM Barnes; vote (5 yes; 1 no) motion passed.

Closed Session: Motion to go into closed session for the purpose of disputing the authorization of payment to the church for the public funeral service of Mayor Habeeb-Ullah Muhammad by CM Barnes; no second. Motion failed.

New Business: CM Barnes informed the council that there was speeding at Modoc Lane and Miles Drive and asked for stop signs to be put up. Mayor Washington stated that the implementation of stop signs was a Public Works request. Mr. Vaughn responded that the mayor could give a temporary installment before Public Works could start.

Furthermore, a resolution had to be presented for the placement of the stop signs. The Town Attorney reminded that there was no need to go through this for a missing stop sign.

Meeting Adjourned: 9:13 PM

**Town of Forest Heights
Treasurer's Report
October 4, 2021**

| | Bank Acct Balance <u>10/01/21</u> | Quickbook Balance <u>09/30/21</u> | Quickbook Balance <u>9/30/21</u> |
|--------------------------------|---|---|--|
| TD Bank General Fund | 392,342.82 | 370,275.61 | 77,209.75 |
| TD Bank Rainy Day Fund | 163,132.40 | 163,132.40 | 160,132.40 |
| TD Bank Speed Camera | 3,262,875.40 | 3,262,875.40 | 2,715,573.52 |
| TD Bank Municipal Money Market | <u>1,263,102.67</u> | <u>1,263,102.67</u> | <u>213,664.59</u> |
| | <u>5,081,453.29</u> | <u>5,059,386.08</u> | <u>3,166,580.26</u> |

General Fund Highlights:

1. Transfer of funds from Speed Camera Account to General Fund - \$100,000.00
2. Real Estate Tax distribution - \$69,165.22
3. Highway User distribution - \$27,490.41
4. CDA Bond distribution (Sachem Hill Project) - \$300,000.00
5. Sale of Solar Energy - \$730.05
6. Donations for Canine Program - \$6,000.00
7. Utility/Personal Property Taxes received - \$27,273.20
8. Local Income Tax Distribution - \$9,678.85

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

October 7, 2021

Town Appearance:

- Maintenance and upkeep of the Community Park next to Henry's
- Daily Trash pickup on both sides of the town
- Monthly inspection of the Tot Lot
- Patching of potholes
- Reporting of Street light outages
- Leaf Pick up
- Cleaning storm drains and curbs of leaves and grass
- Cutting/removal of fallen trees
- Maintaining the Pet Waste Stations
- Monitoring of the Big-Belly Trash Compactors

Town Infrastructure:

- Pepco has completed the installation of the EV Fast Charger (booster) at the Gathering Space. The Charger has been energized by Pepco. Now waiting on a third-party inspection to pass and then activate the unit.
- We are closer to supplying power for the new town sign that is to be placed on the lot next to Henry's. Once the charger passes inspection, Kerly Signs will install the sign, the town must hire an electrician to run a power cable from the charger to the sign and Kerly Signs will make the connection.
- Spoke with Darrin Madison (Kerly Signs) about the placement of the new electronic sign. He is in agreement to wait until the third-party inspection is finalized.
- Both parties, Goode Trash & TOFH, working for a better solution to eliminate the excess trash in the streets. This is an ongoing effort. Spoke with Goode about the trash container replacement. They are aware and promises to take care of it.
- Ciminelli's Landscaping is scheduled to come out the week of September 20th for the sink hole repair and the week of October 2nd for the rain garden and swales, however we intend to wait for the recommendations from LID first.
- Choice Concrete has sent the town a cost estimate to implement BMPs for the storm water run-off on Iroquois Dr.
- Mr. Alex Novoa, subcontractor for Pepco will remove tree limb from power line across from Senaca Dr.
- Pvmt. Corp. will start removal and installation of Speed Humps on October 1st on N. Huron Dr. There was a scheduling mix-up
- Starting week of the 4th putting up new "Speed Humps" signs
- Received estimate to repair brick wall on round-a-bout

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

➤ Cree Drive

- A special meeting was held to discuss the Cree Dr. Rehabilitation Project
- FES has sent the TOFH a revised proposal for the work on Cree Dr.

➤ Rolph Drive

- Mr. Robinson and I spoke with Jenni Woolworth (A.D. Marble) about the concerns over the faulting and cracking of the pervious sidewalk. She has agreed that it should be looked into further. She will get back to us with some information.
- I have spoken with Ms. Woolworth, and she informed me that the contractor stated that there was only a one-year warranty on the Pervious Sidewalk.
- Mr. Drew Parks (Z-Con Concrete) came out (10-8-20), he submitted to the town a cost estimate (\$8,319.61) to clean and repair the sidewalk.
- I just recently spoke with Mr. Drew Parks about the Rolph Dr. failing Pervious sidewalk. He will come back out to reassess the damage and give us a new perspective.

Building Infrastructure:

- The Town Hall building is being cleaned and sanitized daily by DPW.
- Met with Max of Fox Creek to inspect damaged windows (9) for replacement in the upstairs hall. Manufacture will replace all damaged windows.
- Destiny's Glass has installed two of the three Trilogy Locks in the Municipal Bldg.
- Received estimates on refinishing the wood floors in the Community room.
- Water valve in Ladies room replaced

Equipment Maintenance

- X Mark walk behind Mower repair
- Chevy Silverado received two new tires
- Both Vehicles, Ford F-250 & Chevy Silverado had emission test, Chevy failed
- Chainsaw chains sharpened

Other Areas:

- Answering Resident's concerns
- Making/receiving phone calls, follow ups and meetings with contractors and vendors daily.

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

- Working with Neighborhood Design Center for a NFWF preliminary grant award for community forestry
- Submitted the National Pollutant Discharge System (NPDES) Stormwater Permit Report to Low Impact Development
- DPW garage door was repaired by Overhead Door Service

CODE COMPLIANCE REPORT SEPTEMBER 2021

| Date | Transaction/Type | Amount | Location | Status |
|-----------|-------------------|------------|--------------------|--------|
| 9/2/2021 | T Building Permit | \$50.00 | 4 Tecumseh Dr | paid |
| 9/2/2021 | civil citation | \$1,140.00 | 5519 Livingston Rd | paid |
| 9/8/2021 | rental license | \$75.00 | 141 N Huron Dr | paid |
| 9/9/2021 | rental license | \$75.00 | 148 Onondaga Dr | paid |
| 9/14/2021 | rental license | \$225.00 | 5513 Sachem Dr | paid |
| 9/15/2021 | rental license | \$75.00 | 113 S Huron Dr | paid |
| 9/15/2021 | rental license | \$75.00 | 142 S Huron Dr | paid |
| 9/15/2021 | rental license | \$75.00 | 117 S Huron Dr | paid |
| 9/17/2021 | rental license | \$225.00 | 5511 Sachem Dr | paid |
| 9/28/2021 | rental license | \$75.00 | 129 Onondaga Dr | paid |

Total \$2,165.00

Notices of Violation



The Town of Forest Heights POLICE DEPARTMENT

Anthony Rease, Chief of Police

SEPTEMBER REPORT

EXECUTIVE OFFICER

Calvin Washington
Acting Mayor

LEGISLATIVE OFFICERS

Ward 1

Robert Barnes
Councilman

Ward 2

Theresa Brownson
Councilwoman
Clifton Atkinson
Councilman

Ward 3

Paula Noble
Councilwoman
Taunya Hines
Councilwoman

ADMINISTRATIVE STAFF

Linwood Robinson
Town Administrator
Sherletta Hawkins
Town Clerk
Leittia Vaughn
Town Treasurer
Larry Vaughn
Public Works Director

| <i>Incident Type</i> | <i>Total</i> |
|---------------------------|--------------|
| 911 DISCONNECT | 22 |
| ACCIDENT | 12 |
| ALS COMBINED | 1 |
| ANIMAL COMPLAINT | 3 |
| ASSIST FIRE EMS | 1 |
| BREAK IN REPORT | 1 |
| CHECK WELFARE | 6 |
| CHECK WELFARE COMBINED | 2 |
| CHECK WELFARE MENTAL | 1 |
| CW18 | 84 |
| DISORDERLY | 19 |
| DOMESTIC | 6 |
| FAMILY DISPUTE | 4 |
| FRAUD | 3 |
| GUNSHOTS | 1 |
| HIT AND RUN | 3 |
| LOCK OUT | 1 |
| LOCK OUT/IN COMBINED | 1 |
| LOST PROPERTY | 1 |
| LOUD MUSIC COMPLAINT | 6 |
| MISC POLICE INCIDENT | 10 |
| MISSING PERSON | 3 |
| NOISE COMPLAINT | 1 |
| PARTY COMPLAINT | 2 |
| PREMISE CHECK | 214 |
| PROPERTY ALARM | 1 |
| PROPERTY ALARM COMMERCIAL | 1 |
| PROPERTY DAMAGE | 4 |
| RESIDENTIAL ALARM | 7 |
| ROBBERY | 1 |
| SCHOOL RESOURCE | 2 |
| SIGNAL 100 | 1 |
| SIGNAL 100 SERVICE | 1 |
| SUBJECT STOP | 8 |
| SUSPICIOUS AUTO | 5 |
| SUSPICIOUS OCC AUTO | 12 |
| SUSPICIOUS PERSON | 5 |
| TAMPERING | 1 |
| THEFT FROM AUTO | 3 |
| THEFT J O | 1 |
| THEFT REPORT | 1 |
| THREATS COMPLAINT | 3 |
| TRAFFIC COMPLAINT | 6 |
| TRAFFIC HAZARD | 1 |
| TRESPASSING COMPL | 1 |
| UNKNOWN TROUBLE | 15 |
| VANDALISM | 2 |
| Total Calls --> | 490 |

The termination of Certain Orders, Effective August 15, 2021. Each of the orders listed below in this section II shall be rescinded and of no further effect as of 11:59 p.m. on August 15, 2021: a. the Order of the Governor of the State of Maryland number 21-05-12-03, entitled "Delaying Expiration of Certain Motor Vehicle Administration Licenses, Permits, and Identification Cards"

Please ensure that your driver's license and vehicle registration is current. The Forest Heights Police Department have cited 46 people in the month of September for driving an unregistered vehicle and/or having a fictitious registration plate. You are also required to have a current vehicle registration on private and public property within the Town of Forest Heights.

STATISTICAL REPORT

Arrest:
Criminal Citations-2
DUI-5
On View-4
Warrants-3

Firearm Recovered -1

Reportable Accidents-7

Information Line: 301-839-4040 | Non-Emergency: (301) 352-1200 | Emergency Dial: 911

5508 Arapahoe Drive Forest Heights, Maryland 20745 Follow us @ForestHeightsPD

Town Council Work Session Report For 10.4.21

(Town Administrator)

Personnel Matters/Vacancy

As of October, Lieutenant Jeremy Bull and Officer Melvin Brown will no longer be employed with the Forest Heights Police Department.

Please contact the Police Chief or Town Administrator if you have questions.

American Rescue Plan Act

The American Rescue Plan Act was enacted in March of 2021 to help address the health and economic effects of the COVID-19 pandemic. As a result, Prince George's County government will receive \$176.6 million in two distributions in 2021 and 2022.

I am happy to report that Forest Heights will receive \$2,526,205.34 of funding from the State as a Non-Entitlement Unit. Half of this amount or \$1,263,102.67 has already been deposited into a Town account. The Maryland Department of Housing & Community Development is responsible for disbursing these funds.

This funding may be used for the following:

1. To support public health expenditures.
2. To address negative economic impacts caused by the pandemic.
3. To invest in hardest-hit communities and families.
4. To replace lost public sector revenue.
5. To provide premium pay for essential workers.
6. To invest in water, sewer and broadband infrastructure.

The staff is now in the process of developing a draft plan to manage and spend these funds as next steps. Also, a report depicting any expenditures spent since the town received the funds is due to the U.S. Treasury by October 31st.

Please contact the Town Administrator or Town Treasurer for more information.

County Zoning Hearing Examiner Decision & Follow Up on National View Project

The Zoning Hearing Examiner for Prince George's County issued a decision in July recommending approval of the National View project proposal (Case A-10055) subject to certain conditions. The case was then recently transmitted to the Prince George's County Council, District Council, which had the task of deciding to either review the case again or accept the decision of the Zoning Hearing Examiner. (The District Council has the authority to review and decide on zoning and land use matters for most of the county.)

The District Council elected to review the case again to make the final decision on the Hearing Examiner opinion and in turn, on the rezoning request.

This review or "Oral Arguments Hearing" is scheduled for **October 25th at 10:00 am** and will be a virtual meeting.

If you have questions or want further information, please contact the Town Administrator.

THE TOWN OF FOREST HEIGHTS
RESOLUTION 45 – 21 (*Revised*)

A RESOLUTION TO APPROVE PHASE I (*REVISED*) OF A PROPOSAL AND CONTRACT FROM FES GROUP, LLC TO PROVIDE STEEP SLOPE STABILIZATION AND REPAIRS, AND MAKE ROADWAY IMPROVEMENTS ALONG OR NEAR CREE DRIVE

Introduced by: Acting Mayor Calvin Washington

WHEREAS, since the September 15th Town Council meeting, staff has determined that the proposed cost of the project as provided in this Resolution, as originally written, is more than can be reasonably allocated for the project in the FY22 Budget, and as a result, staff and the vendor have revisited the original scope of work to determine if there is an optimal phased-in approach to be considered which could move the project forward, accomplish the goals to rehabilitate the street, but also better align with the Town's fiscal resources to adequately fund the project at this time; and

WHEREAS, the Charter, Section 33-73 (Public ways, control) states that the Town of Forest Heights (the "Town") shall have control of all public ways in the Town except such as may be under the jurisdiction of the State Roads Commission of Maryland or Prince George's County and that subject to the laws of the State of Maryland and this Charter, the Town may do whatever it deems necessary to establish, operate, and maintain in good condition the public ways of the Town; and

WHEREAS, the Charter, Section 33-66(g) (Purchases and contracts) states that the Mayor and Council by a two-thirds vote may waive the competitive bidding requirements of said section for good cause shown for sole source procurements of unique products and services provided written findings are made as to the basis of such waiver shall be placed in the journal of the Council's proceedings; and

WHEREAS, a Drainage Assessment and Inspection Report prepared by Pennoni and Associates dated January 2011 (the "Report") provides information on the Town's storm drainage infrastructure, and Appendix F (Tab F) of the Report is a town-wide Drainage Inlet Map with colorized phases (phase 1-14) recommending in phases repair of the systems; and

WHEREAS, the Town wishes to install certain improvements to protect certain vulnerable areas of steep slopes situated near Cree Drive that are causing erosion into the roadway; and

WHEREAS, the Town has recently received its first-year installation of American Rescue Plan Act funding in the amount of \$1,263,102.67 which was distributed by the State of Maryland to the Town as a Non-Entitlement Entity recipient, and one of the eligible categories for use of these funds is to support municipal infrastructure projects; and

Italics : Indicates matter added to initial resolution
[~~Brackets~~] : Indicates matter deleted from initial resolution

THE TOWN OF FOREST HEIGHTS
RESOLUTION 45 – 21 *(Revised)*

WHEREAS, the Council finds that in addition to \$1,263,102.67 from the American Rescue Plan Act already partially distributed to the Town, other potential funding sources for the Project in FY22 include: (i) Highway User Funds - \$101,000.00, (ii) Casino Impact Funds (Casino) - \$120,000.00, (iii) State Infrastructure Grant - \$125,000.00, and (iv) State Infrastructure Bond (balance) \$311,000.00; and

WHEREAS, the Town obtained from FES Group, LLC (“FES”) a Fee Proposal for the Engineering, Design, and Construction of Slope Erosion Repair and Stabilization of Cree Drive Drainage Improvements and Road Repair (FES Project No. 21-016) dated August 2, 2021; and

WHEREAS, said Proposal (Phase I - *revised*) is for drainage improvements, repair and stabilization of steep failing earth slope and drainage ditch at Cree Drive Drainage Improvements in Forest Heights at a project cost [~~of \$1,711,700.00~~] *not to exceed \$751,900.00*, which is attached hereto as Exhibit 1; and

WHEREAS, at a meeting on September 22, 2021, the Town staff and FES were able to agree upon a revised scope of work, and this revised scope of work or new sub-scope would include the following: Plan drawings and submittals, underdrain installation and removal and replacement of curbs, gutters and driveway aprons; and

WHEREAS, said Proposal *originally* recommended that the project be performed in two (2) phases to minimize the impact on the existing residences and movement of traffic along Cree Drive consisting of steep slope stabilization repair and roadway improvements for Phase I per Section 6 of the Proposal; and

WHEREAS, at the Town special meeting held on September 30, 2021, Acting Mayor Washington presented a revised plan as described herein and concluded by urging the Council to consider moving forward with the project based on a “modified first phase” where such approach is scaled down further in the scope of work as was indicated in this Resolution (tabled); and

WHEREAS, the proposed revised scope of work (printed below) decreases the cost of Phase I of the project from \$1,711,700.00 to \$751,900.00 (the driveway apron replacement work is not yet included); however, because of the relatively high proposed costs from FES for the milling and repaving of the length of Cree Drive (note that the remaining aspect of this revised Phase I that was removed would be to mill and repave the length of Cree Drive with new asphalt), staff recommends the Town consider entering into a contract with another vendor to take on the job of milling and repaving, since proposals for this service from another vendor has historically come in significantly lower than the FES proposal referenced above, and

PHASE I FEES

Survey of existing conditions and Grading Plan... (\$195,700.00).

Italics : Indicates matter added to initial resolution
[Brackets] : Indicates matter deleted from initial resolution

THE TOWN OF FOREST HEIGHTS
RESOLUTION 45 – 21 (*Revised*)

| | |
|--|------------------------------|
| <i>Installation of an Underdrain System and Inlets...</i> | <i>(\$178,900.00).</i> |
| <i>Removal & Replacement of Curbs and Gutters...</i> | <i>(\$252,300.00).</i> |
| <i>Installation of new Driveway Aprons where needed...</i> | <i><u>(\$125,000.00)</u></i> |
| TOTAL: \$751,900.00 | |

Note: The plan would include, as recommended by staff, an additional finishing aspect of the project which would be the milling and repaving of the entire street by another firm, and staff estimates this aspect will cost approximately an additional \$275,000.00, to be approved in a separate Resolution; and

WHEREAS, the Council finds that FES Group, LLC's services are unique and the best bid in terms of the quality of goods and work, successful past performance on Town projects in March of 2021, time of delivery or completion, and responsibility of bidders being considered, and the fact that [this] *the original* bid was put out on two (2) occasions and FES was the only respondent both times, and FES will adequately address the particular needs of the Town in supplying this public works project in an incremental yet cost effective manner.

NOW THEREFORE BE IT RESOLVED that the Town Council hereby accepts the aforementioned Proposal (Phase I - *Revised*) and approves and authorizes a Contract (FES Project No. FES21-015-*Revised*) in the amount [~~of \$1,711,700.00~~] *not to exceed \$751,900.00* with certain terms and conditions enumerated therein, for the design, construction and stabilization of a slope failure and pipe installation *at Cree Dr.* prepared by FES Group, LLC, a Maryland company that is in good standing with the State, which both documents are attached hereto and incorporated by reference herein as Exhibit 1 and Exhibit 2.

AND, BE IT FURTHER RESOLVED that the Town Council hereby authorizes the finalized written contract with FES Group, LLC to be paid pursuant to FY22 Budget Line Item(s): 8000 (Street Repair Projects), 8016 Storm Drain Repair and 8200 (ARPA) with any proofs of insurance and indemnifications deemed necessary by the Town Administrator to protect the Town and carry out the performance of the project described herein.

AND, BE IT FURTHER RESOLVED that the Town Council by a two-thirds vote hereby waives the competitive bidding requirements of Section 33-66 of the Town Charter for good cause shown for sole source procurements of unique products and services.

AND BE IT FURTHER RESOLVED that the Acting Mayor, on behalf of the Town is hereby authorized to enter into the Contract and execute any Contract Documents as enumerated in Article 9 of the referenced Contract, attached as Exhibit 2, and any other necessary documents needed to carry out the intent of this Resolution prior to the commencement of any work; and

| | | |
|-------------------------|---|--|
| <i>Italics</i> | : | Indicates matter added to initial resolution |
| [Brackets] | : | Indicates matter deleted from initial resolution |

THE TOWN OF FOREST HEIGHTS
RESOLUTION 45 – 21 (*Revised*)

AND BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its passage.

PASSED this ____ day of [~~September~~] *October* 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland.

| <u>ROLL CALL VOTE</u> | <u>YEA/NAY/ABSTAIN/ABSENT</u> |
|-----------------------|-------------------------------|
| VACANT | _____ |
| BROWNSON | _____ |
| ATKINSON | _____ |
| BARNES | _____ |
| HINES | _____ |
| WASHINGTON | _____ |
| NOBLE | _____ |

ATTEST:

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Acting Mayor

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ of [~~September~~] *October* 2021 with ____ Aye votes and ____ Nay vote (i.e., a 2/3rds majority of quorum) the aforesaid Resolution __-21 passed.

Sherletta Hawkins, Town Clerk

[Exhibits 1 & 2 FES Proposal (*as revised herein*) and Contract]

Italics : Indicates matter added to initial resolution
[~~Brackets~~] : Indicates matter deleted from initial resolution

TOWN OF FOREST HEIGHTS
RESOLUTION 46-21

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST
HEIGHTS, MARYLAND TO APPROVE THE EMPLOYMENT AND APPOINTMENT
OF KRAIG WEBB AS A POLICE OFFICER TO SERVE WITHIN THE FOREST
HEIGHTS POLICE DEPARTMENT AND TO APPROVE A REIMBURSEMENT
AGREEMENT**

Introduced By: Acting Mayor Calvin Washington

WHEREAS, pursuant to Section 33-66 of the Charter of the Town of Forest Heights (the "Charter") the Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by the Charter or other state law and to operate the Town government; and

WHEREAS, pursuant to Section 33-18(b) of the Charter, all full-time subordinate officers and employees of the offices, departments, and agencies of the Town government shall be appointed and removed by the Mayor with the consent of the Council, in accordance with rules and regulations of any merit system which may be adopted by the Council; and

WHEREAS, pursuant to Section 23.2 of the Town Ordinance Code, certain minimum qualifications for police officers is stated therein, and the Chief of Police has verified to the Mayor and Council that the candidate is of good moral character and emotionally stable, as determined by a comprehensive background investigation, which includes fingerprinting of the applicant and a search made of local, state and criminal records, including a check of military, selective service, school and credit agency records; and

WHEREAS, pursuant to General Order No. 2016-1 (Ch. 2, § 3) sworn personnel will remain on probation until successfully completing twelve (12) consecutive months of full-time employment with the FHPD and authorized by the FHPD Chief of Police as having successfully completed the probation period; and

WHEREAS, the Council finds that Kraig Webb has shown that he has the necessary experience, training, MPTC certifications and knowledge to serve as a Police Officer in the Police Department and it is in the best interest of the Town to appoint Mr. Webb as a Police Officer; and

WHEREAS, the Mr. Webb graduated from Anne Arundel Community College Police Academy in June 2020; and

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby consents to the Acting Mayor's appointment of Kraig Webb at the annual salary of \$50,000; and

BE IT FURTHER RESOLVED, that said officer's salary shall be paid from line item 7404 Salary from the FY2022 Budget; and

TOWN OF FOREST HEIGHTS
RESOLUTION 46-21

BE IT FURTHER RESOLVED, that the Town Council hereby approves the Reimbursement Agreement, attached hereto and incorporated herein, as Exhibit 1, which requires said officer to reimburse the Town in an amount not to exceed \$5,000 should he be unwilling to serve for the requisite minimum of two (2) years.

AND BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its passage.

PASSED this ____ day of October 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

BROWNSON

NOBLE

BARNES

HINES

WASHINGTON

ATKINSON

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Acting Mayor

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of October 2021 with _____ Aye votes and ____ Nay votes the aforesaid Resolution ____-21 passed.

Sherletta Hawkins, Town Clerk

TOWN OF FOREST HEIGHTS
RESOLUTION 47-21

**A RESOLUTION TO ACCEPT A GRANT FROM THE DEPARTMENT OF JUSTICE
FOR THE NATIONAL PAL MENTORING PROGRAM FOR THE TOWN OF FOREST
HEIGHTS POLICE DEPARTMENT**

Introduced By: Acting Mayor Calvin Washington

WHEREAS, for fiscal year 2022 the U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (OJJDP) ("DOJ") is funding the National PAL Mentoring Initiative will implement youth mentoring programs that strengthen and expand mentoring services to at-risk/high-risk youth populations, through PAL Chapters; and

WHEREAS, the grant is awarded to attend seminars, workshops, conferences, technical classes, or other related mentoring programs; and

WHEREAS, the target youth include those who a) live in communities with high community risk factors including poverty, unemployment, violent crime, and drug/gang involvement; b) attend schools that have a high percentage of students eligible for free and reduced-price meals and have high rates of absenteeism; c) are American Indian or Alaska Native; d) have one or more parents in the military; and/or e) live in rural communities. Mentors and mentees will participate in positive mentoring activities through PAL Chapters, providing greater opportunities for individual/group mentoring and academic achievement; and

WHEREAS, the Town of Forest Heights was recently informed it is a recipient of the above mentioned grant in the amount of \$16,200.00 and;

WHEREAS, with said grant funding, the Chief of Police has assigned a police officer to create and facilitate programs for PAL; and

THEREFORE, BE IT RESOLVED, that the Mayor and Town Council of the Town of Forest Heights, Maryland hereby agrees to authorize and allow the acceptance of a Mentoring Grant from the Department of Justice for the Forest Heights Police Department ("FHPD") in the amount of \$16,200.00 for FY2022;

AND BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its passage.

PASSED this ____ day of October 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

BROWNSON

NOBLE

Town of Forest Heights

Resolution 47-21

Page 1

TOWN OF FOREST HEIGHTS
RESOLUTION 47-21

BARNES

HINES

WASHINGTON

ATKINSON

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Acting Mayor

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of October 2021 with _____ Aye votes and ____ Nay votes the aforesaid Resolution ____-21 passed.

Sherletta Hawkins, Town Clerk

TOWN OF FOREST HEIGHTS
RESOLUTION 48-21

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST
HEIGHTS, MARYLAND TO APPROVE THE EMPLOYMENT AND APPOINTMENT
OF ANTHONY COLEMAN AS A POLICE OFFICER TO SERVE WITHIN THE
FOREST HEIGHTS POLICE DEPARTMENT AND TO APPROVE A
REIMBURSEMENT AGREEMENT**

Introduced By: Acting Mayor Calvin Washington

WHEREAS, pursuant to Section 33-66 of the Charter of the Town of Forest Heights (the “Charter”) the Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by the Charter or other state law and to operate the Town government; and

WHEREAS, pursuant to Section 33-18(b) of the Charter, all full-time subordinate officers and employees of the offices, departments, and agencies of the Town government shall be appointed and removed by the Mayor with the consent of the Council, in accordance with rules and regulations of any merit system which may be adopted by the Council; and

WHEREAS, pursuant to Section 23.2 of the Town Ordinance Code, certain minimum qualifications for police officers is stated therein, and the Chief of Police has verified to the Mayor and Council that the candidate is of good moral character and emotionally stable, as determined by a comprehensive background investigation, which includes fingerprinting of the applicant and a search made of local, state and criminal records, including a check of military, selective service, school and credit agency records; and

WHEREAS, pursuant to General Order No. 2016-1 (Ch. 2, § 3) sworn personnel will remain on probation until successfully completing twelve (12) consecutive months of full-time employment with the FHPD and authorized by the FHPD Chief of Police as having successfully completed the probation period; and

WHEREAS, the Council finds that Anthony Coleman has shown that he has the necessary experience, training, MPTC certifications and knowledge to serve as a Police Officer in the Police Department and it is in the best interest of the Town to appoint Mr. Webb as a Police Officer; and

WHEREAS, the Mr. Coleman graduated from Anne Arundel Community College Police Academy in 2020; and

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby consents to the Acting Mayor’s appointment of Anthony Coleman at the annual salary of \$50,000; and

BE IT FURTHER RESOLVED, that said officer’s salary shall be paid from line item 7420 Salary from the FY2022 Budget; and

TOWN OF FOREST HEIGHTS
RESOLUTION 48-21

BE IT FURTHER RESOLVED, that the Town Council hereby approves the Reimbursement Agreement, attached hereto and incorporated herein, as Exhibit 1, which requires said officer to reimburse the Town in an amount not to exceed \$5,000 should he be unwilling to serve for the requisite minimum of two (2) years.

AND BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its passage.

PASSED this ____ day of October 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

BROWNSON

NOBLE

BARNES

HINES

WASHINGTON

ATKINSON

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Acting Mayor

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of October 2021 with _____ Aye votes and ____ Nay votes the aforesaid Resolution ____-21 passed.

Sherletta Hawkins, Town Clerk